

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

ORDER OF  
EXCLUDABLE DELAY

Case No 04 CR 811 (ARR)

*Shawn Marshall*

It is hereby stipulated that the time period from 8/4/05 through 8/25/05 be excluded in computing the time within which

an information or indictment must be filed, or (XW)  
 trial of the charges against defendant must commence. (XC)

The parties agree to the exclusion of the foregoing period for the purpose of

engaging in continuing plea negotiations. (XK)  
 arranging for an examination of the defendant pursuant to 18 U.S.C. 4244 regarding his/her mental or physical capacity, (XA)  
 For ends of justice to be served (XT)

and hereby request the Court to approve this exclusion from speedy trial computations.

The defendant has been fully advised by counsel of his/her rights guaranteed under the Sixth Amendment to the Constitution; the Speedy Trial Act of 1974, 18 U.S.C. 3161-74; the Plan and Rules of this Court adopted pursuant to that Act; and Rule 50(b) of the Federal Rules of Criminal Procedure 50(b) of the Federal Rules of Criminal Procedure 50(b). The defendant understands that he/she has a right to be tried before a jury within a specified time period not counting excludable periods.

Defendant

*Delough Carlson*  
Counsel for Defendant

*Paul J. Flanagan*  
For U.S. Attorney, EDNY

The Court approves this Order of excludable delay and finds that this action serves the end of justice and outweighs the best interest of the public and the deft in a speedy trial since

continuation of plea negotiations is likely to result in disposition of this case without trial (X7)  
 *interest of justice*

SO ORDERED.

Dated: Brooklyn, N.Y.

*Aug. 14, 2005*

*X VTK USM*